

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



MODIFICATION TO MUNICIPAL SOLID WASTE PERMIT NO. 1898 LONE STAR ARMY AMMUNITION PLANT AREA A LANDFILL

Municipal Solid Waste Permit No. 1898 is hereby modified as follows:

Description of Change:

This permit modification (MOD) authorizes revisions to the Site Development Plan to comply with Subchapter J of the rules, including the requirements for monitoring well spacing and point of compliance, and to revise any inconsistent provisions within the permit in accordance with 30 Texas Administrative Code Section (§)330.401(b). The permit MOD further authorizes a complete replacement to the facility's existing Groundwater Sampling and Analysis Plan.

The details of this permit MOD are contained in the initial application dated April 1, 2008, and revisions to the application dated November 26, 2008, February 2, 2009, April 2, 2009, and May 25, 2009.

Part of Permit Modified:

Part III, Site Development Plan

- Attachments Depicting Monitoring Well Locations
- Text in Attachment 5
- Groundwater Characterization Report
- Groundwater Sampling and Analysis Plan – Complete Replacement

This modification is a part of Permit No. 1898, and should be attached thereto.

APPROVED, ISSUED, AND EFFECTIVE in accordance with Title 30 Texas Administrative Code, Chapter 305, Section 305.70(l) and Chapter 330 Section 330.401(b). Public Notice is required for this modification.

ISSUED DATE:

AUG 20 2009


For the Commission

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 26, 2009

Mr. David N. Self
Environmental Coordinator
Department of the Army
Lone Star Army Ammunition Plant
Texarkana, TX 75505-9101

Re: Lone Star Army Ammunition Plant - Area A Landfill
Municipal Solid Waste (MSW) – Permit No. 1898
Permit Modification (MOD) – To Comply with Subchapter J
Includes Groundwater Sampling and Analysis Plan (GWSAP) and Well Spacing Requirements
Tracking Nos. 11996243, 12548598, 12605186, 12652360 and 12708218
RN102777919 / CN600126262

Dear Mr. Self:

We have reviewed your application for a municipal solid waste permit modification dated April 1, 2008, and revisions to the application dated November 26, 2008, February 2, 2009, April 2, 2009, and May 25, 2009, concerning the referenced facility. The application was submitted in accordance with 30 Texas Administrative Code (30 TAC) Section (§)330.401(b), to comply with Subchapter J of the rules, including the requirements for monitoring well spacing and point of compliance, and to revise any inconsistent provisions within the permit. The modification further authorizes a complete replacement to the existing GWSAP. The information presented is technically sufficient for a municipal solid waste permit modification.

Enclosed is a copy of the above referenced modification which is now part of your permit and should be attached thereto. The documentation prepared and submitted to support the modification request shall be considered as requirements of the permit.

If you have questions concerning this matter, please contact Mr. Gary Dry at (512) 239-2352. When addressing written correspondence, please use Mail Code MC 124.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality.

Sincerely,

A handwritten signature in black ink that reads "Richard C. Carmichael".

Richard C. Carmichael, Ph.D., P.E.
Manager, Municipal Solid Waste Permits Section
Waste Permits Division

RCC/GD/fp

Enclosure

cc: Mr. David R. Friels, P.E., Shaw Environmental, Inc., Irving

bcc: Mr. Michael Brashear, TCEQ Waste Program Manager, Tyler Regional Office, MC R-5
Mr. Keiandre McGruder, TCEQ Waste Permits Division, MC 126
Ms. Dawn Dollins, TCEQ Waste Permits Division, MC 126
Ms. Carlotta Vann, TCEQ Waste Permits Division, MC 126

cc: mailing address:

Mr. David Friels, P.E.
Shaw Environmental, Inc.
6330 Commerce
Irving, Texas 75063

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 26, 2009

David N. Self, Environmental Coordinator
Lone Star Army Ammunition Plant Area A Landfill
US Highway 82 West
Attn: SJMLS-IM
Texarkana, Texas 75505-9121

RE: Lone Star Army Ammunition Plant - Area A Landfill
Permit No. 1898

This letter is your notice that the Texas Commission on Environmental Quality (TCEQ) executive director (ED) has issued final approval of the above-named application. According to 30 Texas Administrative Code (TAC) Section 50.135 the approval became effective on the date the ED signed the permit or other approval. A copy of the final approval is enclosed and cites the effective date.

You may file a **motion to overturn** with the chief clerk. A motion to overturn is a request for the commission to review the TCEQ executive director's approval of the application. Any motion must explain why the commission should review the TCEQ executive director's action. According to 30 TAC Section 50.139 an action by the ED is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the chief clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the chief clerk in person or by mail. The Chief Clerk's mailing address is Office of the Chief Clerk (MC 105), TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. On the same day the motion is transmitted to the chief clerk, please provide copies to Robert Martinez, Environmental Law Division Director (MC 173), and Blas Coy, Public Interest Counsel (MC 103), both at the same TCEQ address listed above. If a motion is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the ED's approval. According to Texas Water Code Section 5.351 a person affected by the ED's approval must file a petition appealing the ED's approval in Travis County district court within 30 days after the effective date of the approval. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Individual members of the public may seek further information by calling the TCEQ Office of Public Assistance, toll free, at 1-800-687-4040.

Sincerely,

LaDonna Castañuela
Chief Clerk

A handwritten signature in black ink, appearing to read "LaDonna Castañuela", is written over the typed name and title of the Chief Clerk.

LDC/lg

cc: Blas Coy, TCEQ Public Interest Counsel (MC 103)